

the Office Action. The Applicant respectfully traverses this rejection, and requests reconsideration and allowance of the claims under consideration. Claim 1 was amended in December 2001. Claim 1 states that the elastomeric device includes a plurality of electrically conductive contact pads integral with the matrix. These pads are each in electrical contact with a plurality of the conductive pathways through the elastomeric matrix, which are each made of a plurality of conductive particles.

In contrast, Lambert discloses a conductive polymer interconnect material with chains of electrically conductive particles. As set forth in the Summary of the Invention in column 1 of Lambert, the Lambert invention is a method of fabricating a layer of such material in which the particles at the ends of the chains protrude through the etched surface. This clearly is shown in Figure 3. In column 2, line 46 through column 3, line 2, Lambert describes the end particle exposure and the re-plating of the particle with gold.

Lamp discloses an electrical connector with a large number of what are called “linear elements” that provide the anisotropic conductivity. Those linear elements are elongated conductors as shown in Figures 1, and 3-5. A stack of such conductors surrounded by elastomer is sliced perpendicularly to create the thin elastomer conductors. This slicing is shown in Figure 1. Lamp describes at the very bottom of column 5 and the top of column 6, electrically conductive areas 80, 80', 82 and 82' that are “fixed to two spaced-apart surfaces 84 and 84’”.

The Applicant submits that it is clearly improper under the law of obviousness to combine the references in the manner suggested by the Examiner in order to accomplish the invention. It is absolutely clear that the sole object of Lambert is to create a polymer

interconnect material in which the end particles of the chain of conductive particles protrude at both surfaces.

As the Court of Appeals for the Federal Circuit said in In re Kotzab, 55 USPQ 2d 1313, 1317 (Federal Circuit 2000) “most if not all inventions arise from a combination of old elements ... thus, every element of a claimed invention may often be found in the prior art ... to establish obviousness based on a combination of the elements disclosed in the prior art, there must be some motivation, suggestion or teaching of the desirability of making this specific combination that was made by the Applicant”. The Examiner on page 3 states that it would have been obvious to provide the conductive pads of Lamp into the Lambert matrix for increasing contact area, thus providing better electrical conduction. However, this combination is clearly made in hindsight with the Applicant’s invention in mind. This is improper under the law, making the combination improper. The claim is thus not obvious.

If the Lamp electrically conductive areas were placed on the surface of the Lambert material overlaying the chains of particles, Lambert would not have protruding particles at the surfaces of the polymer material. Having protruding particles is the sole objective of Lambert. Thus, adding the Lamp conductive areas to Lambert would destroy the object of Lambert. The law is clear that if the object of one reference is destroyed by making the combination with another reference, the combination cannot be proper under the law.

As the combination of references is clearly improper, there is no proper combination of references that teaches the invention of claim 1. Accordingly, claim 1 is patentable, and thus all of the dependent claims are also patentable.

Also enclosed is a 2-Month Petition for Extension of Time to file this Response, and a check in the amount of \$210.00 for the filing fee.

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned in Westborough, Massachusetts, (508) 898-1501.

Respectfully submitted,



Brian M. Dingman
Reg. No. 32,729